



General Assembly

Amendment

February Session, 2010

LCO No. 5049

SB0025405049SD0

Offered by:

SEN. CRISCO, 17th Dist.

REP. FONTANA, 87th Dist.

To: Subst. Senate Bill No. 254

File No. 646

Cal. No. 215

**"AN ACT CONCERNING DISCLOSURE OF MAXIMUM
ALLOWABLE COSTS FOR PHARMACY REIMBURSEMENTS."**

1 Strike lines 1 to 10, inclusive, in their entirety and insert the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2011*) (a) For each prescription
4 drug, prescription device, pharmacist services or prescription drug
5 and device and pharmacist services portion of a health benefit plan a
6 pharmacy benefits manager administers, such manager shall establish
7 and maintain a list of maximum allowable costs for generic
8 prescription drugs to be paid that are covered under such health
9 benefit plan.

10 (b) Upon request, the pharmacy benefits manager shall provide
11 electronically to a pharmacy participating in a network administered
12 by such manager the list of maximum allowable costs applicable to
13 such pharmacy. The pharmacy benefits manager shall update changes
14 to such list of maximum allowable costs on at least a monthly basis, or

15 more frequently as determined by such manager. Such participating
16 pharmacy shall maintain, as confidential, any maximum allowable cost
17 data, information or lists provided by the pharmacy benefit manager
18 and shall not disclose any such data, information or lists to a third
19 party.

20 (c) Each pharmacy benefit manager shall establish and maintain a
21 process by which a participating pharmacy may request a review of
22 the maximum allowable cost for a generic prescription drug dispensed
23 by the pharmacy and shall post such process and updates to such
24 process on the pharmacy benefit manager's Internet web site. Each
25 pharmacy benefit manager shall notify each participating pharmacy
26 that such process is posted on such web site and shall provide such
27 manager's Internet address. Each pharmacy benefit manager that
28 receives a request for review from a participating pharmacy shall
29 acknowledge the receipt of such review, perform such review and
30 notify such pharmacy of such manager's determination regarding the
31 maximum allowable cost, not later than thirty days after such manager
32 receives such request."